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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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ANGELA D. HARRIS,

No. C 13-02156 JSW

Plaintiff,

**ORDER REGARDING
DEFENDANT'S RESPONSE TO
COURT ORDER AND ORDER TO
SHOW CAUSE REGARDING
REQUIREMENT TO FILE
ADMINISTRATIVE RECORD
ELECTRONICALLY**

v.

CAROLYN W. COLVIN,

Defendant.

The Court has received and considered Defendant's response to the Court's Order dated July 21, 2014. In her opposition and cross-motion to remand, Defendant clearly stated that, "[u]pon reviewing Plaintiff's opening brief, the Commissioner agreed that the ALJ erred in her step four determination." (Docket No. 17, Opp. Br. at 1:16-17.) Defendant now states, in apparent contradiction to her brief, that she "contends the ALJ did not err at step 4." Accordingly, the Court HEREBY ORDERS the Commissioner to file a further response in which she advises the Court as to which of these two positions she is taking and why. If Defendant takes the position that the ALJ did not err at step 4, then Defendant should explain her position as to where in the disability determination the ALJ did err and what further findings would be required at a further hearing on remand.

In addition, Defendant contends that an electronic version of the Administrative Transcript cannot be filed, because it will not be certified in electronic format. Although Defendant has provided a certified copy of the Administrative Record in hard copy, the Court notes that it has become routine to lodge an electronic copy of the Administrative Record in these types of cases. The Court refers to Defendant to *Pruett v. Colvin*, No. 13-CV-4868,

1 Docket No. 15 as an example. Accordingly, Defendant is HEREBY ORDERED TO SHOW
2 CAUSE as to why she cannot comply with the Court's Order requiring her to lodge an
3 electronic copy of the Administrative Transcript.

4 Defendant's response to this Order shall be due by no later than August 4, 2014. Unless
5 otherwise ordered by the Court, Plaintiff shall not file a reply to Defendant's response.

6 **IT IS SO ORDERED.**

7 Dated: July 28, 2014

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9 JEFFREY S. WHITE
10 UNITED STATES DISTRICT JUDGE